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Attorneys for Defendant
ALAMEDA COUNTY SHERIFF'S
DEPUTY MICHAEL GALLARDO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SHERRIE ROBERTS,

Plaintiff,

v.

ALAMEDA COUNTY SHERIFF'S DEPUTY
MICHAEL GALLARDO, and DOES 1-10.

Defendant.

Case No. CV-11-3372 MEJ

**STIPULATED REQUEST TO CONTINUE
MEDIATION COMPLIANCE DEADLINE;
~~[PROPOSED]~~ ORDER**

Defendant ALAMEDA COUNTY SHERIFF'S DEPUTY MICHAEL GALLARDO and plaintiff
SHERRIE ROBERTS, by and through her respective attorneys of record, hereby stipulate as follows:

1. The parties were set for an initial case management conference on October 20, 2011.
Prior to the conference, the Court issued a Case Management Order on October 13, 2011, in which the

1 following discovery and dispositive motion deadlines were set:

2 (A) Disclosure of Expert Witnesses and Expert Reports to be served by 9-7-12;

3 (B) Disclosure of Rebuttal Expert Witnesses to be served by 9-17-12;

4 (C) Expert and Non-Expert Discovery to be completed by 10-2-12;

5 (D) All Dispositive Motions shall be filed, served, and noticed by 11-1-12;

6 (E) The Court shall hear dispositive motions on 12-6-12 at Courtroom B, 15th Floor, Federal
7 Building, 450 Golden Gate Avenue, S.F., CA 94102;

8 2. The parties were further referred to mediation on October 13, 2011 to be completed by
9 January 11, 2012. The parties were assigned to mediator Matthew Pavone and agreed to schedule
10 mediation for January 10, 2012.

11 3. Defendant served Initial Disclosures on October 13, 2011. Plaintiff served Initial
12 Disclosures on November 17, 2011. Defendant thereafter promptly served written discovery. Responses
13 to that discovery are due December 21, 2011. Responses to the written discovery may result in the need
14 for further discovery and the issuance of medical subpoenas.

15 4. The parties are attempting to schedule plaintiff's deposition to take place in January.
16 Plaintiff's deposition is critical to defendants' evaluation of the case, and a meaningful mediation cannot
17 occur until completion of that deposition.

18 5. During the pre-mediation scheduling conference with mediator Matthew Pavone, counsel
19 for the parties informed Mr. Pavone that they intended to seek a continuance of the mediation compliance
20 date so that necessary discovery could be completed prior to mediation. Mr. Pavone indicated he was in
21 agreement with that request for additional time given the need to complete necessary discovery prior to
22 mediation, but would hold the January 10, 2012 date until the Court had an opportunity to consider the
23 instant stipulation.

24 6. For all the good cause reasons stated above, the parties respectfully request this Court
25 extend the parties deadline to complete mediation until March 30, 2012, so that the parties can complete
26 necessary discovery.

27 7. The parties' request for extension of the mediation compliance deadline should not
28 interfere with the presently scheduled pretrial and trial dates set by the Court, and trial in this matter is set

for April 4, 2013. The parties submitted one prior stipulation to the Court to provide defendant an additional two weeks to respond to plaintiff's complaint

8. The parties respectfully request that the Court approve this stipulation and incorporate its terms in an Order.

IT IS SO STIPULATED.

Dated: December 7, 2011

LAW OFFICES OF CHE L. HASHIM

By: /s/ Che L. Hashim

Che L. Hashim

Attorney for Plaintiff

SHERRIE ROBERTS

Dated: December 7, 2011

BERTRAND, FOX & ELLIOT

By: /s/ Michael C. Wenzel

Michael C. Wenzel

Attorneys for Defendant

MICHAEL GALLARDO

ORDER

GOOD CAUSE APPEARING THEREFORE, and the parties' having stipulated to same, the parties' stipulation is hereby APPROVED. The deadline for the parties to complete mediation shall be continued until March 30, 2012.

IT IS SO ORDERED.

DATED: December __8__, 2011



HONORABLE GLORIA-ELENA JAMES
United States Chief Magistrate Judge